IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)
	Plaintiff,) 8:08CR451)
	vs.) DETENTION ORDER
CA	ARLOS ALAMILLA-HERNANDEZ,) }
	Defendant.	;
A.	Order For Detention After waiving a detention hearing pursuant Act on December 30, 2008, the Court order pursuant to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reformers the above-named defendant detained
B.	The Court orders the defendant's detention X By a preponderance of the evide conditions will reasonably assure the	because it finds: ence that no condition or combination of appearance of the defendant as required. t no condition or combination of conditions
C.	methamphetamine (Cour a minimum sentence of to life imprisonment. (b) The offense is a crime of (c) The offense involves a national control of the life imprisonment.	nd includes the following: e offense charged: ssession with intent to distribute at I) in violation of 21 U.S.C. § 841 carries en years imprisonment and a maximum of violence.
	may affect wheth X The defendant h X The defendant h X The defendant h X The defendant is X The defendant of ties. Past conduct of the defendant h Court proceeding	of the defendant including: appears to have a mental condition which the the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. does not have any significant community. the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at

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· , -	 Release pending trial, sentence, appeal or completion of sentence. Other Factors: X The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted.
- -	X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
release	ature and seriousness of the danger posed by the defendant's are as follows: The nature of the charges in the Indictment.
In deter on the for which the X (a)	rmining that the defendant should be detained, the Court also relied ollowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) he Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
(That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
 - The defendant be afforded reasonable opportunity for private consultation with counsel; and

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3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 30, 2008.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge